	Application No.	Applicant(s)
Notice of Allowability	10/712,797	SINHA, AMIT
	Examiner	Art Unit	
	SYED BOKHARI	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *12/18/2007*.

2. ☒ The allowed claim(s) is/are *3-8 and 11-17 renumbered as 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 1-13 respectively* .

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Reason for Allowance

1.   The following is an examiner's statement of reason for allowance: claims 3-8,

and 11-17 are allowed:

The present invention is directed to selecting optimum frame size as a function of

determined probability and as a function of overhead. Each independent claim identifies

the features based on the formula uses overhead and probability of bit error.

Regarding claim 3, transmitting frames on a communications link comprising

monitoring the communications link to determine a probability of error on the link and

selecting frame size as a function of the determined probability and as a function of

overhead the selected frame size is being selected from a set of frame sizes computed

numerical as the solution to 10 1 + O F opt + O = F opt 1 - - F opt where O is overhead,

F.sub.opt is optimum frame size and .alpha.=-ln(1-probability of bit error) .

Regarding claim 11, for transmitting frames on a communications link comprising

a monitoring a monitoring routine which monitors the communications link to determine

a probability of error in the link and a frame sizer which selects frame size as a function

of the determined probability and as a function of overhead the frame size is being

selected from a set of frame sizes computed numerically as the solution to 11 1 + O F

opt + O = F opt 1 - - F opt where O is overhead, F.sub.opt is optimum frame size and

.alpha.=-ln(1-probability of bit error).

Regarding claim 17, a system for transmitting frames on a communications link comprising means for monitoring the communications link to determine a probability of error on the link; and means for selecting frame size as a function of the determined probability and as a function of overhead the frame size is being selected from a set of frame sizes computed numerically as the solution to 11 1 + O F opt + O = F opt 1 - - F opt where O is overhead, F.sub.opt is optimum frame size and .alpha.=-ln(1-probability of bit error).

The closet prior arts Ci et al. (USP 7,096,274 B1) discloses method of transmitting frames on a communications link comprising: monitoring the communications link to determine a probability of error on the link. Amalfitano (USP 6,236,647 B1) discloses of selecting frame size as a function of the determined probability and for determining the optimum frame size in bytes as a function of overhead bytes and as a function of good bits received on average before the bit is received in error. Amalfitano formula uses a square function to determine frame size whereas the claimed formula based on a natural logarithm function and an exponential function to determine an optimum frame size as a function of overhead and probability of bit error rate. Therefore the closet prior arts listed above fail to anticipate or render the distinct features of independent claims.

Dependent claims 4-8 and 12-16 are allowed since they depend on claims 3 and 11 respectively.

2.   Any comments considered necessary by the applicant must be submitted no longer than the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason of Allowance".

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USP 6,493,352 B1 (Mawhinney et al.), USP 6,446,122 B1 (Rawat et al.) and US 2007/0019676 (Kompella).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED BOKHARI whose telephone number is (571)270-3115. The examiner can normally be reached on Monday through Friday 8:00-17:00 Hrs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang B. Yao can be reached on (571) 272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
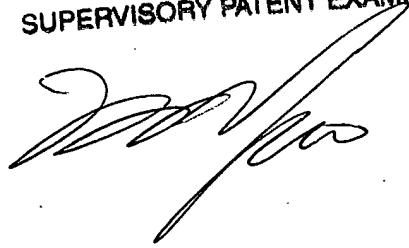
Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Syed Bokhari/

Examiner, Art Unit 2616

2/29/2008

KWANG BIN YAO
SUPERVISORY PATENT EXAMINER